

60648

Serial No.

AMENDED

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office NOV 09 1994
 Returned to applicant for correction DEC 29 1994
 Corrected application filed FEB 27 1995 27 Feb 95 Proposed/Existing
 Map filed under 45339 filed 17 Feb 82

The applicant R.D.D., Inc.
290 E. Minor St. of Winnemucca
Street and No. or P.O. Box No. City or Town
Nevada 89445 hereby make.s application for permission to change the
State and Zip Code No.
point of diversion and place of use
Point of diversion, manner of use, and/or place of use
 of water heretofore appropriated under Permit 45339
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and
 identify right in Decree.

- The source of water is underground
Name of stream, lake, underground spring or other source.
- The amount of water to be changed 6.0 c.f.s.
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
- The water to be used for irrigation
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water heretofore permitted for irrigation
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water is to be diverted at the following point within Lot 1 Section 3, T.43N., R.27E.,
Describe as being within a 40-acre subdivision of public survey and by course and
M.D.B. & M. or at a point from which the NE corner of said Section 3 bears
distance to a section corner. If on unsurveyed land, it should be stated.
N 31°49'33" E 1379.56 feet. See Remarks.
- The existing permitted point of diversion is located within the SW 1/4 NE 1/4 of Section 5, T.43N., R.27E.,
If point of diversion is not changed, do not answer.
M.D.B. & M. or at a point from which the N 1/2 corner of Section 4, T.43N., R.27E.,
M.D.B. & M. bears N 63°03' E 6,102 feet.
- Proposed place of use See Attachment "A" and Remarks.
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
- Existing place of use See Attachment "B" and Remarks.
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
 manner of use of irrigation permit, describe acreage to be removed from irrigation.
- Use will be from January 1 to December 31 of each year.
Month and Day Month and Day
- Use was permitted from January 1 to December 31 of each year.
Month and Day Month and Day
- Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
 specifications of your diversion or storage works.) drilled well, ditch, and pipeline system
State manner in which water is to be diverted, i.e. diversion structure,
 ditches, pipes and flumes, or drilled well, etc.
- Estimated cost of works in excess of \$30,000
- Estimated time required to construct works Complete; see well log filed under Permit 45339.

14. Estimated time required to complete the application of water to beneficial use one (1) year

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

See Attachment "C."

Desert Mountain Surveying as agent
By John H. Milton III, PLS, SWRS
s/John H. Milton III
146 West Second Street
Winnemucca, NV 89445

Compared jk/sm cl/cmg

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of the waters of an underground source as heretofore granted under Permit 45339 is issued subject to the terms and conditions imposed in said Permit 45339 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a weir or other type of measuring device at or near the well to facilitate the measurement and control of the water. If well is flowing, a valve must be installed and maintained to prevent waste. The State reserves the right to regulate the use of the water under this proposed change at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The total combined duty of water under Permits 25709, Certificate 7648; 28052, Certificate 8493; 52322, 52323, 60648 and 61425 shall not exceed 4700.32 acre-feet annually.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 6.0 cubic feet per second, and not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources, but not to exceed 4344.0 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before February 21, 1997

Proof of completion of work shall be filed before March 21, 1997

Application of water to beneficial use shall be made on or before February 21, 1998

Proof of the application of water to beneficial use shall be filed on or before March 21, 1998

Map in support of proof of beneficial use shall be filed on or before March 21, 1998

Completion of work filed APR 22 1997

Proof of beneficial use filed _____

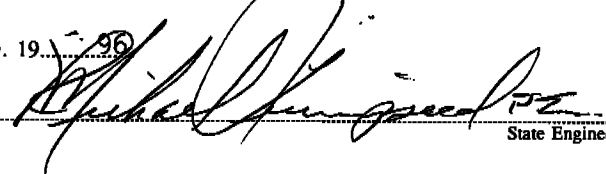
Cultural map filed _____

Certificate No. _____ Issued _____

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 21st day of February

A.D. 19 96


State Engineer

Section	Subdivision	Township	Range	Acreage	Culture
28	NW¼ SW¼	T.44N.	R.27E.	19.0	Pasture
28	NE¼ SW¼	T.44N.	R.27E.	26.0	Pasture
28	SE¼ SW¼	T.44N.	R.27E.	10.2	Pasture
28	SW¼ SW¼	T.44N.	R.27E.	33.4	Pasture
32	NW¼ NE¼	T.44N.	R.27E.	1.3	Pasture
32	NE¼ NE¼	T.44N.	R.27E.	30.1	Pasture
32	SE¼ NE¼	T.44N.	R.27E.	41.4	Pasture
32	SW¼ NE¼	T.44N.	R.27E.	3.1	Pasture
32	NE¼ SE¼	T.44N.	R.27E.	24.8	Pasture
32	SE¼ SE¼	T.44N.	R.27E.	11.2	Pasture
33	NW¼ NW¼	T.44N.	R.27E.	41.42	Pasture
33	NE¼ NW¼	T.44N.	R.27E.	41.42	Pasture
33	SE¼ NW¼	T.44N.	R.27E.	41.42	Pasture
33	SW¼ NW¼	T.44N.	R.27E.	41.42	Pasture
33	NW¼ SW¼	T.44N.	R.27E.	41.42	Pasture
33	NE¼ SW¼	T.44N.	R.27E.	41.42	Pasture
33	SE¼ SW¼	T.44N.	R.27E.	24.95	Fallow
33	SW¼ SW¼	T.44N.	R.27E.	12.81	Fallow
33	SW¼ SW¼	T.44N.	R.27E.	28.61	Pasture
33	SE¼ SE¼	T.44N.	R.27E.	39.72	Alfalfa
33	SW¼ SE¼	T.44N.	R.27E.	33.93	Alfalfa
34	SE¼ SW¼	T.44N.	R.27E.	28.09	Alfalfa
34	SW¼ SW¼	T.44N.	R.27E.	39.81	Alfalfa
34	SE¼ SW¼	T.44N.	R.27E.	10.20	Pasture
3	Lot 3	T.43N.	R.27E.	19.21	Alfalfa
3	Lot 4	T.43N.	R.27E.	42.28	Alfalfa
4	Lot 1	T.43N.	R.27E.	37.69	Grain
4	Lot 2	T.43N.	R.27E.	12.81	Fallow
4	Lot 2	T.43N.	R.27E.	6.75	Grain
4	Lot 3	T.43N.	R.27E.	45.52	Fallow
4	Lot 4	T.43N.	R.27E.	16.53	Fallow
4	Lot 4	T.43N.	R.27E.	29.80	Pasture
4	SW¼ NW¼	T.43N.	R.27E.	10.33	Fallow
4	SW¼ NW¼	T.43N.	R.27E.	10.35	Pasture
4	SE¼ NW¼	T.43N.	R.27E.	40.91	Fallow
4	Lot 5	T.43N.	R.27E.	19.34	Fallow
4	NE¼ SW¼	T.43N.	R.27E.	17.77	Alfalfa
4	NW¼ SE¼	T.43N.	R.27E.	38.10	Alfalfa
4	NE¼ SE¼	T.43N.	R.27E.	21.24	Alfalfa
4	SE¼ SE¼	T.43N.	R.27E.	10.33	Alfalfa
4	SW¼ SE¼	T.43N.	R.27E.	36.70	Alfalfa
4	SE¼ SW¼	T.43N.	R.27E.	26.86	Alfalfa
5	Lot 5	T.43N.	R.27E.	5.10	Pasture
4	NE¼ SW¼	T.43N.	R.27E.	1.42	Fallow
34	SE¼ SE¼	T.44N.	R.27E.	0.30	Pasture
34	SW¼ SE¼	T.44N.	R.27E.	37.70	Pasture
3	Lot 3	T.43N.	R.27E.	2.80	Pasture
3	Lot 2	T.43N.	R.27E.	18.10	Pasture
Total				1175.08 acres	

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Attachment "B"

Item 8. Existing place of use

Existing place of use of Permit 45339:

T.44N., R.27E., M.D.B. & M.

Section 28	N $\frac{1}{2}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ SW $\frac{1}{4}$	120.0 acres
Section 29	SE $\frac{1}{4}$ SE $\frac{1}{4}$	40.0 acres
Section 32	NE $\frac{1}{4}$; E $\frac{1}{2}$ SE $\frac{1}{4}$	240.0 acres
Section 33	W $\frac{1}{2}$; S $\frac{1}{2}$ SE $\frac{1}{4}$	400.0 acres
Section 34	S $\frac{1}{2}$ S $\frac{1}{2}$	160.0 acres

T.43N., R.27E., M.D.B. & M.

Section 3	Lots 1, 2, 3, 4; S $\frac{1}{2}$	483.46 acres
Section 4	Lots 1, 2, 3, 4;	
	S $\frac{1}{2}$ NW $\frac{1}{4}$; S $\frac{1}{2}$	562.58 acres
Section 5	S $\frac{1}{2}$ NE $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$	160.00 acres

Total 2166.04 acres

The place of use under Permit 45339 was limited to the above described place of use by a letter dated January 31, 1989 (See terms of permit--last sentence).

The well under Permit 45339 does not irrigate any land listed in Section 29, T.44N., R.27E., M.D.B. & M. or any of the land listed in Section 5, T.43N., R.27E., M.D.B. & M.

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Item 5.

The well under Permit 45339 was mistakenly drilled in Section 3.

Item 6.

The only land listed under the proposed place of use that was not included in the existing place of use is the following:

Lot 5, Section 4, T.43N., R.27E.	19.34 acres
Lot 5, Section 5, T.43N., R.27E.	5.1 acres
SE¼ SW¼ Section 28, T.44N., R.27E.	10.21 acres

Item 7.

The existing place of use for Permit 45339 had a total amount of acreage to be irrigated of 2166.04 acres. Actual acreage irrigated is 1175.08 acres.

Please use the map filed under Permit 45339 to show the existing place of use.

